

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLARK LANDIS, et al.,

Plaintiff,

vs.

WASHINGTON STATE MAJOR  
LEAGUE BASEBALL STADIUM  
PUBLIC FACILITIES DISTRICT, et al,

Defendants.

NO. 2:18-cv-01512-BJR

**SECOND DECLARATION OF  
JAMES L. E. TERRY IN SUPPORT  
OF PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

I, JAMES L. E. TERRY, hereby declare as follows,

1. I am an expert witness for Plaintiffs in this matter, and I am over the age of 18 and competent to testify on the matters stated herein.

2. I have read and understand Defendants' expert Bill Endelman's report and line of sight (aka "sightline") study.

3. The standards I used in my sightline analysis are the same standards deemed acceptable and used by Defendants' expert.

4. I understand that Bill Endelman used the interpretations found in the "Accessible Stadiums" publication by the Department of Justice and I also used that publication and its

1 interpretations for how to apply the requirements in 4.33.3 of the 1991 ADA Standards. The  
2 same interpretations for line of sight analysis still apply under the 2010 ADA Standards.

3 5. While our methodologies differed, both Bill Endelman and I conducted sightline studies  
4 to evaluate lines of sight over the heads of the persons standing two rows in front of wheelchair  
5 accessible seating locations.

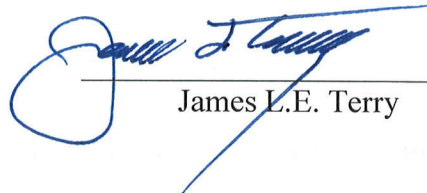
6 6. I understand that Bill Endelman used the human head, shoulder, and eye height and  
7 horizontal location measurements from the Ellerbe Becket case to perform his analysis and I also  
8 used those measurements.

9 7. The lines on Bill Endelman's sightline analysis diagrams demonstrate that the wheelchair  
10 accessible seating he measured and analyzed has worse sightlines over the heads of standing  
11 spectators than the sightlines that standing spectators have over other standing spectators. My  
12 sightline analysis also demonstrates this.

13 8. My sightline analysis methodology more clearly demonstrates and quantifies the  
14 differences in viewable field than Mr. Endelman's methodology, which only shows unequal  
15 viewing angles towards the field.

16  
17  
18 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
19 knowledge and belief.

20 DATED June 23, 2019

21  
22  
23  
  
James L.E. Terry

24 2ND TERASAKI DECLARATION ON SUPPORT OF MSJ- 2  
2:18-cv-01512-BJR

WASHINGTON CIVIL & DISABILITY  
ADVOCATE  
4115 Roosevelt Way NE, Suite B  
Seattle, WA 98105  
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CERTIFICATE OF SERVICE

I, Michael Terasaki, hereby certify under penalty of perjury under the laws of the State of Washington, that on the day set forth below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record for the defendants.

Signed at Seattle, Washington this 24th day of June, 2019.

s/Michael Terasaki

Michael Terasaki

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